

Office of the Illinois Attorney General

Guidance from the Civil Rights Bureau and Disability Rights Bureau Related to COVID-19

This document is intended to serve as guidance from the Office of the Illinois Attorney General's ("OAG") Civil Rights Bureau ("CRB") and Disability Rights Bureau ("DRB") regarding the civil rights of individuals in our state during the COVID-19 pandemic. There has been a recent rise in reports of incidents of discrimination, bias, and hate against members of the Asian American and Pacific Islander communities. The OAG continues to enforce civil rights laws for the people of our state, including those who experience acts of discrimination or hate crimes stemming from the COVID-19 pandemic.

The Illinois Human Rights Act ("IHRA") makes it illegal to discriminate in Illinois based on actual or perceived race, color, national origin, religion, sex, disability, and other categories in the areas of housing, employment, access to financial credit, and public accommodations. Further, the IHRA protects individuals' rights to seek and use reasonable accommodations related to their disability. The IHRA also prohibits retaliation against a person because they opposed unlawful discrimination or because they attempted to request, requested, or used a reasonable accommodation. Concerns related to COVID-19 provide no legal excuse for engaging in discrimination or retaliation against individuals belonging to groups protected by the IHRA. If you experience or witness discrimination, we encourage you to file a complaint with the OAG.

The law continues to protect your rights in the following areas.

- **Housing:** Housing providers and individuals engaged in real estate transactions are still required to comply with the United States Constitution and federal and state civil rights laws. Therefore, your landlord cannot use the circumstances related to COVID-19 to discriminate against you based on your race, color, religion, national origin, sex, disability, familial status, or other protected characteristics. For example, a landlord cannot refuse to rent a property to you solely based on your national origin due to fears of contracting COVID-19.
- **Requests for Reasonable Accommodations:**
 - As the public is instructed to stay at home, the Attorney General reminds landlords of their legal obligation to grant reasonable accommodations to people with disabilities. Reasonable accommodations are a change or exception to a housing provider's rules, policies or practices that will help a person with a disability have an equal opportunity to use and enjoy their dwelling.
 - Examples of Possible Reasonable Accommodations in Housing Related to the COVID -19 Pandemic:
 - Waiving guest fees, or occupancy limits, to allow a person with a disability to have a live-in personal aide assist them.
 - Providing visiting home health care workers access to areas of the facility ordinarily reserved for residents, such as the laundry room, mail room, and parking garage.

- Allowing a resident with a disability-related need to have an emotional support, or other assistance animal, in a “no pets” building.
- Permitting door delivery service to a resident with a disability in a building where deliveries are ordinarily deposited for pick up in a central location.
- Extending a lease to allow a person with a disability the extra time needed to find, and move, into alternative accessible housing.

- **Places of Public Accommodation:**

- Under the IHRA, places of public accommodation are generally publicly and privately owned places that are open to the general public. Places of public accommodation include, but are not limited to: health care providers, stores, gyms, restaurants, schools, and hotels. Many places of public accommodation have been temporarily closed in order to curb the spread of COVID-19.
- On March 13, 2020, Governor Pritzker announced the closure of all public and private schools. In the interim, some schools are providing e-learning services to their students. For information on the provision of special education and related services during school closures, see <https://www.isbe.net/Documents/School-Closure-SpED-Guidance.pdf>.
- On March 15, 2020, Governor Pritzker announced that bars and restaurants could no longer serve dine-in guests after the end of the day March 16, 2020. You may still access restaurants through pick-up/takeout and delivery services. Restaurants may not refuse to serve you solely on the basis of your race, color, religion, national origin, sex, disability, or familial status due to concerns of contracting COVID-19.

- **Hate Crimes:**

- The Illinois Hate Crimes Act, 720 ILCS 5/12-7.1, makes it illegal for a person to commit a bias-motivated crime. This occurs when a person targets another person or group because of their membership (or perceived membership) in a particular social group (e.g., race, national origin, religion, disability).
- Call 911 or your local police station if you are the victim of a hate crime or a witness to a hate crime. Ask to file a police report, and tell the responding police officers why you believe the crime was hate-motivated.
- The OAG encourages individuals who have experienced a hate crime or other racist actions related to the COVID-19 pandemic to report it to the CRB by filing online at: https://illinoisattorneygeneral.gov/rights/Hate_Crime_Complaint_Form.pdf.

Contact Information:

For Civil Rights or Hate Crimes-related questions or complaints:

- Visit the CRB's webpage at <https://illinoisattorneygeneral.gov/rights/civilrights.html>;
- Call the Civil Rights Hotline at **1-877-581-3692**; or
- Email: civilrights@atg.state.il.us.

For Disability Rights-related questions or complaints:

- Visit the DRB's webpage at <https://illinoisattorneygeneral.gov/rights/disabilityrights.html>;
- Call the Disability Rights Hotline at **1-312-814-5684** or **1-800-964-3013** (TTY); or
- Email: disabilityrights@atg.state.il.us.

To minimize risk from the COVID-19 pandemic, the OAG is currently operating with reduced staff. This may mean that responses to complaints, email, and telephone calls may be delayed. The OAG appreciates your patience during this time.